



Workforce Innovation and Opportunity Act: Notice of Proposed Rulemaking

Programs and Activities Authorized by the Adult Education and Family Literacy Act (Title II)

Quick Reference Guide for 34 CFR Parts 462 and 463

The Office of Career, Technical, and Adult Education has developed one package of regulations related to the Adult Education and Family Literacy Act. The package has two main parts – part 462 and part 463. This document provides a handy reference tool to locate preamble text and rule text for each subpart. Reading the preamble text and the rule text together may be a useful strategy to gain a good understanding of the proposed rule.

34 CFR Part 462: Measuring Educational Gain in the National Reporting System

The first part, Part 462, is the proposed rule on measuring educational gain in the National Reporting System of Adult Education, or the NRS. This part revises regulations that have been in place since 2008 and was the only regulation for the Adult Education and Family Literacy Act under the Workforce Investment Act of 1998, or WIA.

Subparts	Sections in Proposed Rule	Page Number(s)
Subpart A—General	Sections 462.1 – 462.4	Preamble Text: Pages 20969 through 20970. Proposed Rule Text: Pages 20982 through 20983.
Subpart B—What Process Does the Secretary Use to Review the Suitability of Tests for Use in the NRS?	Sections 462.10 – 462.14	Preamble Text: Page 20970. Proposed Rule Text: Pages 20980 through 20981.
Subpart D—What Requirements Must States and Local Eligible Providers Follow When Measuring Educational Gain?	Sections 462.40 – 462.44	Preamble Text: Page 20971. Proposed Rule Text: Page 20980

34 CFR 463: Adult Education and Family Literacy Act

Part 463 establishes regulations that would clarify new program activities and requirements under the Act, as well as those continued from WIA. The proposed rule is organized into five subparts.

Subparts	Sections in Proposed Rule	Page Number(s)
Subpart A—Adult Education – General Provisions	Sections 463.1 – 462.3	Preamble Text: Pages 20971 through 20972. Proposed Rule Text: Pages 20982 through 20983.
Subpart C—How does a State Make an Award to Eligible Local Providers?	Sections 463.20 – 463.26	Preamble Text: Pages 20971 through 20972. Proposed Rule Text: Pages 20982 through 20983.
Subpart D—What are Adult Education and Literacy Activities?	Sections 463.30 – 463.38	Preamble Text: Pages 20971 through 20972. Proposed Rule Text: Pages 20982 through 20983.
Subpart F—What are Programs for Corrections Education and the Education of Other Institutionalized Individuals?	Sections 463.60 – 463.63	Preamble Text: Pages 20971 through 20972. Proposed Rule Text: Pages 20982 through 20983.
Subpart G—What is the Integrated Literacy and Civics Education Program?	Sections 463.70 – 463.75	Preamble Text: Pages 20971 through 20972. Proposed Rule Text: Pages 20982 through 20983.

Subpart A—Adult Education General Provisions

Section	Topic
Sec. 463.1	What is the purpose of the Adult Education and Family Literacy Act?
Sec. 463.2	What regulations apply to the Adult Education and Family Literacy Act?
Sec. 463.3	What definitions apply to the Adult Education and Family Literacy Act?

Subpart C—How does a State Make an Award to Eligible Local Providers?

Section	Topic
Sec. 463.20	What is the process that the eligible agency must follow in awarding grants or contracts to eligible providers?
Sec. 463.21	What processes must be in place to determine the extent to which a local application for grants or contracts to provide adult education and literacy services is aligned with a local plan under section 108?
Sec. 463.22	What must be included in the eligible provider’s application for a grant or contract?
Sec. 463.23	Who is eligible to apply for a grant or contract to provide adult education and literacy activities?
Sec. 463.24	How can an eligible provider establish that it has demonstrated effectiveness?
Sec. 463.25	What are the requirements related to local administrative cost limits?
Sec. 463.26	What activities are considered administrative costs?

Subpart D—What are Adult Education and Literacy Activities?

Section	Topic
Sec. 463.30	What are adult education and literacy programs, activities, and services?
Sec. 463.31	What is an English language acquisition program?
Sec. 463.32	How does a program that is intended to be an English language acquisition program meet the requirement that the program lead to attainment of a secondary school diploma or its recognized equivalent and transition to postsecondary education and training or leads to employment?
Sec. 463.33	What are integrated English literacy and civics education services?
Sec. 463.34	What are workforce preparation activities?
Sec. 463.35	What is integrated education and training?
Sec. 463.36	What are the required components of an integrated education and training program funded under title II?
Sec. 463.37	How does a program providing integrated education and training under title III meet the requirement that the three required components be “integrated”?
Sec. 463.38	How does a program providing integrated education and training under title III meet the requirement that an integrated education and training program be “for the purpose of educational and career advancement”?

Subpart F—What are Programs for Corrections Education and the Education of Other Institutionalized Individuals?

Section	Topic
Sec. 463.60	What are programs for corrections education and the education of other institutionalized individuals?
Sec. 463.61	How does the eligible agency award funds to eligible providers under programs for corrections education and the education of other institutionalized individuals?
Sec. 463.62	What is the priority for programs that receive funding through programs for corrections education and the education of other institutionalized individuals?
Sec. 463.63	How may funds under programs for corrections education and the education of other institutionalized individuals be used to support transition to re-entry initiatives and other post-release services with the goal of reducing recidivism.

Subpart G—What is the Integrated Literacy and Civics Education Program?

Section	Topic
Sec. 463.70	What is the Integrated English Literacy and Civics Education program?
Sec. 463.71	How does the Secretary make an award under the Integrated English Literacy and Civics Education program?
Sec. 463.72	How does the eligible agency award funds to eligible providers for the Integrated English Literacy and Civics Education program?
Sec. 463.73	What are the requirements for eligible providers that receive funding through the Integrated English Literacy and Civics Education program?
Sec. 463.74	How does an eligible provider that receives funds through the Integrated English Literacy and Civics Education program meet the requirement to provide services in combination with integrated education and training?
Sec. 463.75	Who is eligible to receive education services through the Integrated English Literacy and Civics Education program?

The Department is seeking comments on the following sections (see the preamble discussion for more details).

- 1) **Section 463.24 – How can an eligible provider establish that it has demonstrated effectiveness?** Seeking public input on the proposed means of establishing that an eligible provider has demonstrated effectiveness.
- 2) **Section 463.32 – How does a program that is intended to be an English language acquisition program meet the requirement that the program leads to attainment of a secondary school diploma or its equivalent and transition to postsecondary education and training or leads to employment?** Seeking public input on these proposals and request suggestions regarding other methods that may be used to meet this requirement.
- 3) **Section 463.37 – How does a program providing integrated education and training meet the requirement that the three required components be “integrated”?** Seeking public input on the proposed requirements and other suggested requirements that may support the provision of IET services to eligible adults at all skill levels.